

Violations – Business Rules

Violation ID

Read only; system-generated

Violation Type (Required)

This field is used to classify the violation

Type	Description
Deficient Monitoring	Monitoring is missing or incorrect in some way, such as sample/analysis method, location, QA/QC criteria not met, lab not ELAP-certified. Single entry for each monitoring violation. Single entry for each reporting period.
Other Requirements – Basin Plan Prohibition	Violation of Basin Plan prohibition (e.g., discharge to prohibited zone, etc.). Do not use if also a violation of a permit condition, just record as a violation of a permit condition. Single entry for each occurrence.
Other Requirements – BMP	BMPs not maintained, deficient, or not implemented. For storm water use only; single entry for each reporting period or inspection. Single entry for each reporting period.
Other Requirements – California Water Code	Violations of California Water Code (e.g., discharge without WDRs; other examples). Do not use if also a violation of WDRs, just record as a violation of a permit condition. Single entry for each occurrence. Single entry for each occurrence.
Other Requirements – Enforcement Action	This type of violation is to be recorded when an enforcement action is violated. For example, if a Time Schedule Order contains interim limits and those limits are exceeded, the violation should be recorded as this type. The same action may also result in a violation of the original order. A separate violation record should be created for the violation of the base order.
Other Requirements – Fees	Fees not paid on time or in full. Single entry for each occurrence. Single entry for each occurrence.
Other Requirements – File (to be “Storm Water Non-filer”)	Storm water non-filer in accordance with CWC section 13399.25. Single entry for each occurrence.
Other Requirements – Other Codes	Violations of other codes (e.g., Title 27, Health and Safety Code, Public Resources Code, Government Code, etc.). Single entry for each occurrence.
Other Requirements – Permit Conditions (to be “Order Conditions”)	Violations of prohibitions, provisions, and maintenance-type requirements (e.g., pond freeboard and DO) contained in WDRs. Single entry for each occurrence.

Type	Description
Other Requirements – Pretreatment	Failure to implement pretreatment program adequately. Generally not used under Title 27. Single entry for each occurrence.
Other Requirements – SWPPP	Storm water pollution prevention plan not on site, not implemented, not in existence. Single entry for each occurrence.
Other Requirements – Unregulated discharge (to be “Unauthorized Discharge”)	Discharges without WDRs (including coverage under a general order) or discharges other than that described in an order (e.g. surface water discharge by discharger with non-NPDES WDRs). For SSO related discharges use “SSO” violation type. For storm water non filers, use “File” violation type. Single entry for each occurrence.
Reporting – Deficient Reporting	Incomplete report (i.e., missing signature, certification statement, laboratory identification, etc.); failure to notify per requirement (i.e., notify RB staff of violation). If the SMR calls out that monitoring was not completed, record as incomplete monitoring. If the discharger does not report that monitoring is missing but it is, record as deficient reporting. If it is found that monitoring was not completed, add a deficient monitoring violation in addition to reporting violation. Single entry for each deficient report.
Reporting – Late Report	Report received after due date. Enter the number of days late in Violation Description field. Single entry for each occurrence.
Water Quality Effluent – ATOX	Violation of acute toxicity effluent limitation. Single entry for each violation.
Water Quality Effluent – CAT1	Violation of effluent limitation for Group I pollutant (e.g., BOD, TSS, aluminum, nitrate). Check Pollutant Finder database if uncertain. Single entry for each violation.
Water Quality Effluent – CAT2	Violation of effluent limitation for Group II pollutant (e.g., chlorine, copper, cyanide). Check Pollutant Finder database if uncertain. Single entry for each violation.
Water Quality Effluent - CTOX	Violation of chronic toxicity effluent limitation. Single entry for each violation.
Water Quality Effluent – OEVI	Violation of any constituent-specific effluent limitation not included in Group I or Group II. Single entry for each violation.
Water Quality – Groundwater (to be Water Quality - Receiving Water – Groundwater)	Degradation or pollution of groundwater; release to groundwater; exceeded groundwater limitations. Not applicable to storm water violations. Single entry for each reporting period.
Water Quality – Receiving Water – Surface Water	Violation of surface water limitation. Single entry for each violation.

Type	Description
Water Quality – Hydro Modification	Noncompliance with dredge and fill requirements.
Water Quality – Sanitary Sewer Overflow/Spill	Discharge from collection system (except for private laterals); other spills and/or bypassing of treatment unit(s). Generally not used under Title 27. Single entry for each occurrence.

Violation Description (Required)

Be as detailed as necessary but as brief as possible. Use this field to describe the violation. For deficient or late reports, include why a report was deficient or how many days late a report was. For violations of permit conditions, summarize or insert the prohibition, specification, or provision that was violated and what the violation was. For effluent limit exceedances, enter the reporting period; constituent; limit; units; limitation period; and result. For example: (1stQ; TDS; 450; mg/L; M; 800) or (1stS, pH; 6.5-8.5; pH units; D; 5.7). For groundwater violations, note whether it is a new or existing release, whether the discharger is in evaluation monitoring or corrective action (if applicable), the type of release (salts, metals, VOCs, etc.), and the number of impacted monitoring wells. For storm water samples exceeding a limit or bench mark value, enter the constituent; limit; units; and result (e.g., TSS; 100; mg/L; 435).

Reporting Periods Limitation Periods

M = Monthly

Q = Quarterly

S = Semi-Annually

A = Annually

I = Instantaneous

D = Daily

W = Weekly

M = Monthly.

Violation Comments (Optional)

Use this field for any additional information or comments, as appropriate.

Corrective Action (Optional)

Use this field to describe any corrective actions taken or proposed by the Discharger to correct the violation.

Status (Required)

Status	Description
Dismiss	Use to dismiss a violation of potential violation
Potential	Used for automatically generated violations. Also may be used for violations entered that must be confirmed by staff.
Violation	Violations that require no further validation

Status Date (Required)

Initially, the status date is the same as Occurrence Date. For subsequent changes of status, the status date is the date that the violation status changed in CIWQS. The system currently requires unique dates for each status.

Discovery Date (Optional)

The Discovery Date is the date that staff, the Discharger, or a third party discovered the violation.

Occurrence Date (Required)

This is a required field that is the date that the violation actually occurred. For continuing violations, such as monthly average, or daily requirement that was violated each day, use the last day of the reporting period. If unknown, enter the date the violation was first discovered by staff, the Discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.

Report Receipt Date (Optional)

This is the date that the report was received (if applicable).

Violation Source (Required)

This field describes the how or where the violation was determined.

Source	Description
Complaint	This is for a violation that was reported by a third party, whether or not an inspection was performed to verify the violation.
ESMR	The eSMR source is used for system-generated violations for either eSMRs or late paper copy reports tracked by CIWQS.
Event	This will be for system-generated violations when the event module is completed.
Inspection	Use inspection if violation is discovered during an inspection. Generally this source should be used in conjunction with routine compliance inspections. For inspections that were prompted by a complaint and the result was a violation, choose Complaint as the source.
No Spill Certification	This is for system-generated violations regarding the SSO module.

Referral	Used for violations that were the result of a referral, regardless of whether an inspection was performed to verify the violation.
Report	This source is for violations discovered in a report submitted by the discharger.
SSO	This source is for system-generated violations that are created as a result of the SSO module.
Undetermined	This option is used when the source is unknown or if the source is not represented in the drop down menu.

Violation Source ID (System Generated)

This field is populated when the user selects a specific CIWQS record related to the source. For example, if the source is inspection, the user should select the inspection record that was the source of the violation. The user is only able to select the specific record when the source is recorded in CIWQS.

Priority Violation

Check this box if the violation is a priority violation (see Enforcement Policy for definition of priority violation). If the violation is associated with the NPDES program and it is a serious violation (see below), the priority box must also be checked.

NPDES Serious Violation (NPDES Only)

This box is only enabled if the violation has been linked to an NPDES permit. Serious Violations include those that exceed CAT1 by more than 40% or CAT2 by more than 20% (see Enforcement Policy for definition of CAT1 and CAT2), or a report that is more than 30 days late.

Subject to MMP? (NPDES Only)

(To be changed to "Special Inclusion as an MMP Violation")

This box is only enabled if the violation has been linked to an NPDES permit. Check this box if this violation would not otherwise be counted by the MMP report.

Requirements Tab

Regulatory Measure Number

If a regulatory measure was violated, it should be linked to the violation. If a link has been made, the regulatory measure ID is displayed as a hyperlink to the regulatory measure record. If an incorrect link was made, the link can be overwritten by searching and linking again.

Monitoring Location

Used for eSMR if the violation is associated with a monitoring location.

Requirement Type

Select a requirement type from the drop down menu. Doing this along with linking a regulatory measure will cause the parties and places that are related to the regulatory measure to be pre-populated on the related parties and places tabs of the violation record, respectively.

Requirement Text

Will be pre-populated by eSMR. For non-eSMR violations, users should paraphrase requirement.

Program

Program is read only and populated with the program(s) that is associated to the related regulatory measure.

Reported Result

For eSMR, this field is populated with the reported result. For non-eSMR, users should input the reported result, if applicable

Related Parties Tab

At least one organization with the role “responsible party” must be linked to the violation.

At least one person at organization with the role “assigned Water Board staff” must be linked to the violation.

The appropriate regional board office must be linked to the violation record.

Role/Relationship	Description
Responsible Party	Discharger. This relationship is automatically created if a regulatory measure is linked to the violation and that regulatory measure is linked to a Discharger.
Complainant	A person or organization that notified the Water Board of a situation that led to a violation.
Local Agency Contact	A person that is related to a third party local agency (i.e., not the discharger), such as an employee of a CUPA, and that plays a role in the violation.
Local Agency	An organization, such as a CUPA, that is playing a role in

Role/Relationship	Description
	the violation. If the specific person from the organization is known, only that link (Local Agency Contact) must be made.
Assigned Water Board Staff	The water board staff person that tracks the violation.
Water Board	The Water Board office that tracks the violation. This relationship is automatically created if a regulatory measure is linked to the violation and that regulatory measure is linked to a Water Board.

Related Places

There must be one and only one linked place of type "Discharge Source" (including but not limited to "Facility") where the violations occurred, with the relationship of "originating."

Discharge points may also have the relationship of originating.

When a regulatory measure is linked to the violation, the facility automatically links to the violation with the relationship of originating.

Linked Enforcement Actions

This tab lists all of the enforcement actions related to the related place (i.e., regulatory measures that were a result of violations). If the enforcement action is already linked to the violation, the table will indicate that with a "yes." The user can create the link or remove the link using the hyperlink on the right hand side of the table. A violation can be linked to multiple enforcement actions.

Documents

This tab records the physical location of hard copy documents.

Additional Info

The field on this tab allows the user to indicate whether the violation should be included on EPA's Quarterly Non-Compliance Report.

Attachments

Attach documents or photos as necessary.